



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

REVIEW CONSIDERATION DECISION

Dispute Codes: FF MND MNDC MNSD

Introduction

Division 2, Section 79(2) under the *Residential Tenancy Act* says a party to the dispute may apply for a review of the decision. The application must contain reasons to support one or more of the grounds for review:

1. A party was unable to attend the original hearing because of circumstances that could not be anticipated and were beyond the party's control.
2. A party has new and relevant evidence that was not available at the time of the original hearing.
3. A party has evidence that the director's decision or order was obtained by fraud.

The applicant has applied on the grounds that they were unable to attend the original hearing because of circumstances that could not be anticipated and were beyond the party's control. The applicant stated that she was moving to Alberta and due to bad weather was unable to return to the province until November 22, 2013 however the hearing was on November 19, 2013. The applicant has not given any reasons why she was unable to call in on the day of the hearing. The applicant initiated the matter and was aware of the date several months in advance. The applicant could have easily planned around her move or make other arrangements. Based on the information given by the applicant I am not satisfied they have met the grounds #1 as listed above and accordingly I dismiss their application.

The decision and order made on November 19, 2013 stands.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: December 02, 2013

Residential Tenancy Branch